

ENERGY AND ENVIRONMENT CABINET

DEPARTMENT FOR ENVIRONMENTAL PROTECTION DIVISION OF WASTE MANAGEMENT 200 FAIR OAKS, 2ND FLOOR FRANKFORT, KY 40601 TELEPHONE NUMBER (502) 564-6716

Registration for a Registered Permit-By-Rule Less-Than-One-Acre Construction/Demolition Debris (CDD) Landfill DEP 7059-H (6/99)

This registration shall become effective five (5) business days after the cabinet receives it, with the exception of medical waste transfer stations which becomes effective thirty (30) days after receipt, unless the cabinet denies the registration within that time.

- APPLICABILITY This form must be complete and submitted to the Cabinet by persons requesting the issuance, renewal or transfer of a permit for a solid waste management facility pursuant to KRS 224.40-330.
- 2. ASSISTANCE Questions regarding this form may be directed in writing to the Division of Waste Management, Solid Waste Branch at the address listed above or by calling (502) 564-6716.
- 3. SUBMISSION Submit the original of the completed form to the Division of Waste Management at the address listed above. If an item is

- not applicable, check the appropriate box or write "N/A" in the space provided. Please type or print legibly in permanent ink.
- 4. FILING FEES Fees are not applicable for this application.
- 5. LAWS AND REGULATIONS Applicants are expected to understand and comply with all applicable laws and regulations.

Statutes and regulations may be viewed online at the following website address: http://www.lrc.ky.gov/search.htm

Solid waste application forms are available at the following website address: http://www.waste.ky.gov/forms/

To assist you in the submittal of a complete and accurate application, the Division has identified the most common errors made in the review process. These errors are listed below for your convenience.

- 1. Failure to complete the application. All maps, attachments, and supplemental data must be submitted with this application.
- 2. Failure to properly sign and notarize the application. An individual with signature authority for the applicant as defined by KRS 224.01-010(44) and 401 KAR 47:160 must sign and notarize the appropriate signature sections of the application.
- 2. Failure to provide appropriate, fully completed attachments. Maps, drawings, narratives or any attachments that lack sufficient detail or drawings that are not signed, dated and sealed by a professional engineer or geologist may cause delays in the review and approval of the application.

Carefully read each of the following application requirements. Check each box provided to ensure the requirements are met as you complete them. Submit the original and two copies of the completed application and all attachments to the Solid Waste Branch. All signatures on the original application must be original.

Section I APPLICATION FOR A REGISTERED PERMIT-BY-RULE LESS-THAN-ONE-ACRE CONSTRUCTION/DEMOLITION DEBRIS LANDFILL

Registrant (Owner or Operator) & Facility Information

1.	 □ New Application – Registration number will be assigned by the Cabinet. □ Modification – Registration #
2.	Registrant Name (corporation, business, person, or government agency that owns or operates the facility)
3.	Registrant Mailing Address
4.	City 5. State 6. Zip 7. County
8.	Contact Person9. Title
10.	Phone Number (11. Fax Number ()
12.	E-Mail Address
13.	Facility Name
14.	Facility Location(street or physical location only – no P. O. Box numbers)
15. Coun	City 16. Zip 17. ty
18.	Facility Contact Person19. Title
20.	Phone Number ()21. Fax Number ()
22.	E-Mail Address
23.	What community is nearest to the proposed facility?
24.	What highway intersection is nearest to the proposed facility? &
25. facilit	What stream is nearest to the proposed by?
26.	What is the estimated daily and annual amount of waste that will be disposed at the facility?
	DAILY: Cubic Yards Tons ANNUAL: Cubic Yards Tons

27.	What disposal site will accept ar	y non-construction/demolition	debris waste from this facility?
21.	what disposal site will accept al	19 11011-COHSU UCHOH/ UCHIOH(1011	debits waste from this facility?

Facility Name	Permit Number	State

28. List all anticipated sources of waste by county and state and estimate the monthly tonnage to be disposed. If there are more than three (3) waste sources, provide the additional information and **LABEL**AS ATTACHMENT 1. If accepting waste from an entire state, write the state name in the space provided

Source of Waste (County and State)	Monthly Quantity (Tons)

- 29. Describe, in detail, the following: the equipment to be used, operating hours, number of personnel on site daily, and the contingency plans for emergencies such as fire, spills, and equipment failure, etc. **LABEL AS ATTACHMENT 2**.
- 30. Include one (1) current, original U.S.G.S. 7.5 minute topographic map with the original and each copy of the application. Clearly mark the location of the facility and property boundaries. <u>Do not send aerial photographs in lieu of topographic maps</u>. **LABEL AS ATTACHMENT 3**. Maps may be ordered by calling Map Sales at (502) 564-4715.

ngitude <u>-8 ° ' ''</u>

- 31. Submit a site plan drawing showing all buildings, roads, property boundaries, fences, etc. Include a North arrow. The site plan may be hand-drawn. **LABEL AS ATTACHMENT 4**.
- 32. Is the proposed facility located in a wellhead protection area? ☐ Yes ☐ No If yes, provide engineering drawings that meet the requirements of 401 KAR 48:320, Section 3. LABEL AS ATTACHMENT 5.

33.	Indicate the appropriate legal organizational structure of the registrant:		
	☐ Proprietorship ☐ Corporation ☐ Partnership General ☐ Joint Venture		
	□ Partnership Limited □ Governmental Agency □ Other (describe)		
34.	Provide a notarized true and exact copy of the document which establishes the legal structure of the registrant and check the box that applies. LABEL AS ATTACHMENT 6. Partnership agreement (partnership) Certificate of Incorporation from the Kentucky Secretary of State (in-state corporation) Certificate of Authority to transact business in Kentucky (out-of-state corporation) Not Applicable (if the registrant is a sole proprietor or government entity)		
35.	If the registrant is a corporation, limited partnership, or general partnership operating under an assumed name, submit a copy of the approved Certificate of Assumed Name as provided by the Secretary of State. LABEL AS ATTACHMENT 7. If not applicable, check here \Box .		
36.	If a corporation, identify the resident agent in Kentucky for service of process.		
	Name Title		
	Address		
	Phone Number (Fax Number (
37.	If the owner of the property on which the proposed landfill is to be located is not the registrant, then the registrant must submit a <u>notarized</u> statement (see ADDENDUM #1 attached to this application) signed by the property owner . If not applicable, (if the registrant is the property owner) check here \Box .		
38.	Publish a notice using ADDENDUM #2 . Provide a tear sheet and affidavit of publication LABEL AS ATTACHMENT 8 .		
39.	I,, certify that a copy of this application has been (Registrant's signature)		
locate	delivered to the governing body of the solid waste management area in which the facility will be ted.		
40.	Attach your Performance Bond (Form # DEP 6053-A) along with the appropriate financial assurance mechanism (i.e., letter of credit, surety bond, certificate of insurance, etc.). Government agencies are required to provide financial assurance in the form of a Fiscal Year Budget. Budgets are to be revised and submitted annually. LABEL AS ATTACHMENT 9 .		

Contact the Solid Waste Branch, Permit Administration Section, at (502) 564-6716 for the DEP 7059-H 6/99

appropriate financial assurance forms and/or questions about completing these forms.

41.	Pursuant to 401 KAR 47:160, Section 6, a responsible official (company owner, corporate officer,
	mayor, county judge executive, or other appropriate official) must sign the certification statement below.
	Consultants or other persons may not sign the certification statement unless that person possesses
	and supplies a copy of a power of attorney.

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for such violations."

Name (print)		Title	
Signature			
Subscribed a	nd sworn to before me this	day of	, Year
Notary Publi	c Signature		
State of	County of	My commission expires	

Section II REGISTRANT DISCLOSURE STATEMENT

1.	Registrant's complete name (print)			
2.	State of Incorporation or Application			
3.	Mailing Address			
4.	City	5. State	6. Zip	
7.	Phone Number (8. Fax Number (
9.	Provide the names of all key personnel as defined by KRS 224.01-010(44) and their titles or positions. Attach additional pages if necessary and LABEL AS ATTACHMENT 10. A completed Key Personnel Disclosure Statement (Section III) must be submitted with the application for each individual listed below. Sole proprietors and government agencies are not required to submit key personnel disclosure statements. If not applicable, check here \Box .			
	Key Person	Title	/Position	
	a			
	b			
	c			
	d			
10.	Submit a description of the registrant's experie permits or licenses held by the registrant within ATTACHMENT 11. If not applicable, check	the previous five (5) years		
11.	Submit a description of the registrant's experie present permits or licenses held by the registrant ATTACHMENT 12. If not applicable, check	nt within the previous five (
12.	Submit a description of all civil and administration for the violation of any state or federal environ of more than one thousand dollars ($$1,000$) with application. If not applicable, check here \Box .	mental protection law that h	nave resulted	in a fine or penalty
	If applicable, each description shall include the other identifying number, the identity of all par complaint was filed, the identity of each state of the amount of the fine or penalty, whether the feach law or regulation violated or alleged to ha	rties named in the complain or federal agency involved v fine or penalty has been paid	t, the forum in with or named d, the identity	n which the I in the complaint, and description of

REGISTRANT DISCLOSURE STATEMENT continued

based; and state whether the fine was the result of settlement or agreed order, an administrative order, or a court judgment. If litigation is ongoing, describe any orders or judgments entered and describe the current status of the litigation. **LABEL AS ATTACHMENT 13**.

13. Submit a description of all civil and administrative complaints against the registrant and its key personnel for the violation of any state or federal environmental protection law that allege an act or omission that constitutes a violation of a state or federal environmental protection law and that presented a substantial endangerment to the public health or the environment. If not applicable, check here \Box .

If applicable, each description shall include the following: the style of the complaint, the case, file, or other identifying number, the identities of each party to the complaint, the forum in which the complaint was brought, the identity of each state or federal agency involved with or named in the complaint, an explanation of the alleged act or omission, the identity and a description of the environmental protection law or regulation alleged to have been violated, an explanation of all corrective action measures performed to correct or mitigate the alleged violation, and a description of the alleged endangerment to public health or to the environment. State whether the issues raised in the complaint have been resolved and whether the resolution was the result of a settlement or agreement, an administrative order, or a court order of judgment. If litigation on the allegation is ongoing, describe any orders or judgments entered and describe the present status of the litigation. **LABEL AS ATTACHMENT 14**.

14. Submit a description of all pending criminal complaints alleging the violation of any state or federal environmental protection law that have been filed against the registrant and its key personnel within five (5) years before the date of submission of this application. If not applicable, check here □.

If applicable, each description shall include the following: the style of the case and the identifying case number, the date the complaint was filed, the forum in which the complaint is pending, the identity of the law or regulation allegedly violated and a narrative description of the law or regulation, whether the alleged violation is a misdemeanor or a felony, and all actions and pleadings which have occurred or have been filed in association with the complaint. **LABEL AS ATTACHMENT 15**.

15. Submit a description of all judgments of criminal conviction entered against the registrant and its key personnel within five (5) years before the date of submission of this application for the violation of any state or federal environmental protection law. If not applicable, check here \Box .

If applicable, each description shall include the following: style, case number, forum in which the complaint was entered, date of judgement, sentence imposed, the identity and a description of each law the registrant was convicted of violating, whether the conviction was the result of a plea agreement or a trial, and, if currently on appeal, the status of the appeal. **LABEL AS ATTACHMENT 16**.

16. Submit a description of all judgements of criminal conviction of a felony under the laws of any state or the United States that are entered against the registrant and its key personnel within five (5) years before the date of submission of this application. **LABEL AS ATTACHMENT 17**. If not applicable, check here □.

REGISTRANT DISCLOSURE STATEMENT continued

If applicable, each description shall include the following: style, case number, forum in which the complaint was entered, date of judgement, sentence imposed, the identity and a description of each law the registrant was convicted of violating, whether the conviction was the result of a plea agreement or a trial, and, if currently on appeal, the status of the appeal. **LABEL AS ATTACHMENT 18**.

17. Submit a list of the names and addresses of all waste sites or facilities and solid waste management facilities in which the registrant or any of its key personnel has a financial or equitable interest, or is an officer, director, or manager. **LABEL AS ATTACHMENT 19**. If not applicable, check here \Box .

Pursuant to 401 KAR 47:160, Section 6(4), "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for such violations."

Name of Registrant's Responsible Official (print)		Title
Signature		
Subscribed and sworn to before me this	day of	, Year
Notary Public Signature		
State of County of	My commis	sion expires

Section III KEY PERSONNEL DISCLOSURE STATEMENT

Sole proprietors and government agencies are not required to submit key personnel disclosure statements.

Before beginning, make additional blank copies of Section III for each person listed as key personnel in Section II, Item 9. All key personnel of the registrant are required to submit the following information to the Cabinet before the application can be accepted. This disclosure is also required prior to a change in key personnel of the registrant.

1.	Key Person (print)			
2	Mailing Address			
3.	City 4. State 5. Zip			
6.	Phone Number (7. Fax Number (
8.	What is the relationship between the registrant and key person? Reference KRS 224.010-010(44).			
	☐ Partner ☐ Shareholder ☐ Corporate Official ☐ Other			
9.	Submit a description of the key person's experience in managing solid waste including any past or present permits or licenses held by the key person within the previous five (5) years. LABEL AS ATTACHMENT 20 . If not applicable, check here \Box .			
10.	Submit a description of the key person's experience in managing hazardous waste including any past or present permits or licenses held by the key person within the previous five (5) years. LABEL AS ATTACHMENT 21. If not applicable, check here \Box .			
11.	Submit a description of all civil and administrative complaints against the key person for the violation of any state or federal environmental protection law that have resulted in a fine or penalty of more than one thousand dollars (\$1,000) within five (5) years before the date of the submission of this application. If not applicable, check here \Box .			
	If applicable, each description shall include the following: the style of the complaint, the case, file, or other identifying number, the identity of all parties named in the complaint, the forum in which the complaint was filed, the identity of each state or federal agency involved with or named in the complaint, the amount of the fine or penalty, whether the fine or penalty has been paid, the identity and description of each law or regulation violated or alleged to have been violated and upon which the fine or penalty is based; and state whether the fine was the result of settlement or agreed order, an administrative order, or a court judgment. If litigation is ongoing, describe any orders or judgments entered and describe the current status of the litigation. LABEL AS ATTACHMENT 22.			

KEY PERSONNEL DISCLOSURE STATEMENT continued

public health or the environment. If not applicable, check here \Box .

Submit a description of all civil and administrative complaints against the key person for the violation of any state or federal environmental protection law that allege an act or omission that constitutes a violation of a state or federal environmental protection law and that presented a substantial endangerment to the

If applicable, each description shall include the following: the style of the complaint, the case, file, or other identifying number, the identities of each party to the complaint, the forum in which the complaint was brought, the identity of each state or federal agency involved with or named in the complaint, an explanation of the alleged act or omission, the identity and a description of the environmental protection

	law or regulation alleged to have been violated, an explanation of all corrective action measures performed to correct or mitigate the alleged violation, and a description of the alleged endangerment to public health or to the environment. State whether the issues raised in the complaint have been resolved and whether the resolution was the result of a settlement or agreement, an administrative order, or a court order of judgment. If litigation on the allegation is ongoing, describe any orders or judgments entered and describe the present status of the litigation. LABEL AS ATTACHMENT 23.
13.	Submit a description of all pending criminal complaints alleging the violation of any state or federal environmental protection law that have been filed against the key person within five (5) years before the date of submission of this application. If not applicable, check here \Box .
	If applicable, each description shall include the following: the style of the case and the identifying case number, the date the complaint was filed, the forum in which the complaint is pending, the identity of the law or regulation allegedly violated and a narrative description of the law or regulation, whether the alleged violation is a misdemeanor or a felony, and all actions and pleadings which have occurred or have been filed in association with the complaint. LABEL AS ATTACHMENT 24 .
14.	Submit a description of all judgments of criminal conviction entered against the key person within five (5) years before the date of submission of this application for the violation of any state or federal environmental protection law. If not applicable, check here \Box .
	If applicable, each description shall include the following: style, case number, forum in which the complaint was entered, date of judgement, sentence imposed, the identity and a description of each law the key person was convicted of violating, whether the conviction was the result of a plea agreement or a trial, and, if currently on appeal, the status of the appeal. LABEL AS ATTACHMENT 25 .
15.	Submit a description of all judgements of criminal conviction of a felony under the laws of any state or the United States that are entered against the key person within five (5) years before the date of submission of this application. LABEL AS ATTACHMENT 26 . If not applicable, check here \Box .
	If applicable, each description shall include the following: style, case number, forum in which the complaint was entered, date of judgement, sentence imposed, the identity and a description of each law the key person was convicted of violating, whether the conviction was the result of a plea agreement or a trial, and, if currently on appeal, the status of the appeal. LABEL AS ATTACHMENT 27 .

KEY PERSONNEL DISCLOSURE STATEMENT continued

16. Submit a list of the names and addresses of all waste sites or facilities and solid waste management facilities in which the key person has a financial or equitable interest, or is an officer, director, or manager. LABEL AS ATTACHMENT 28. If not applicable, check here □.

Pursuant to 401 KAR 47:160, Section 6(4), "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for such violations."

Name of key pers	on (print)	Ti	tle	_
Signature				
Subscribed and sv	worn to before me this	day of	, Year	
Notary Public Sig	gnature			
State of	County of	My commis	ssion expires	

ADDENDUM #1

OWNER'S ACKNOWLEDGEMENT OF LIABILITY

1.	Property Owner (print)		
2.	Mailing Address		
3.	City	4. State	5. Zip
6.	Contact Person		7. Title
8.	Phone Number (9. Fax Number	er (
10.	E-Mail Address		
app pro regi enfo	n aware of the facility that has been pro lication outlining this project. I hereby ject. I understand that I am <u>fully liable</u> ulatory requirements for less-than-one- orcement actions by the Natural Resour	give permission for the r if the registrant fails to c acre construction/demoli- ces and Environmental P	registrant to proceed with this comply with the statutory and tion debris landfills, including any Protection Cabinet.
Sigi	nature		
Sub	scribed and sworn to before me this	day of	, Year
Not	ary Public Signature		
Stat	e of County of	My comn	nission expires

Addendum #1

OWNER'S ACKNOWLEDGEMENT OF LIABILITY

92. Property Owner				
93. Mailing Address				
94 . City .		95. State	96. Zip	
97.Contact Person		98 . Title		
99. Phone Number () -	100. Fax Number () -	
101 . E-Mail				
permission for the I understan statutory and reg enforcement action	registrant to proce d that I am fully ulatory requirem s by the Energy a	plication outlining this eed with this project. liable if the registrant tents for composting and Environment Cabin	fails to comply v facilities, includi et."	vith the
Subscribed and swo	rn to before me this	day of	, 20	'•
Notary Public Signa	ture			
State of	County of	My commissio	n expires	



Addendum #2

- 1. Fill in all blanks.
- 2. Submit this notice for publication to a newspaper of general circulation in the county where the proposed waste management facility will be located.
- 3. Inform the newspaper that the public notice shall be of a size to include not less than two (2) column widths for advertising and shall be in a display format.
- 4. Request a tear sheet and affidavit of publication from the newspaper publishing the notice. The tear sheet and affidavit must be submitted to the Division of Waste Management along with your completed application. Label as **Attachment 7**.

PUBLIC NOTICE REGISTERED PERMIT-BY-RULE

proposes to submit an application for a registered permit-by-rule composting facility to the Energy and Environment Cabinet, Division of Waste Management, pursuant to 401 KAR 47:110. The registration shall become effective five (5) business days after the Cabinet receives it unless the Cabinet denies the registration within that time. The proposed facility will: (description of business conducted)

The proposed facility will be located at the following address: (facility name)

(facility address) (city, state, zip)

For questions regarding this proposed facility, contact: at (facility owner or operator)

(phone number including area code)

Questions concerning the application process for registered permits-by-rule can be directed to:

Energy and Environmental Cabinet Division of Waste Management, 200 Fair Oaks Lane, Frankfort, KY 40601 (502) 564-6716.

